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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/804,727	03/19/2004	Peter Lappe	RUH-339	8264	
20311	20311 7590 03/29/2005		EXAMINER		
MUSERLIAN, LUCAS AND MERCANTI, LLP 475 PARK AVENUE SOUTH 15TH FLOOR NEW YORK, NY 10016			CARR, DE	CARR, DEBORAH D	
			ART UNIT	PAPER NUMBER	
			1621		
		DATE MAILED: 03/29/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 			Application No.	Applicant(s)			
Deborah D. Carr Deborah D. Carr Deborah D.	Office Action Summary		10/804,727	LAPPE ET AL.			
Preiod for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions from may be valided above is less but in this (30) days, a reply which the statutory entire minute of the previous of the reply and the previous of the priority under 35 U.S.C. § 119(a)-(d) or (f). 1)			Examiner	Art Unit			
Period for Reply A SHORTENEO STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Interest St. (6) MONTH's from the realing date of this communication. If the period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the realing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period for reply a specified above, the maximum statutory period will apply and will expire SIX (6) MONTH'S from the mailing date of this communication. If NO period will not specified to specified to specified on							
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 37 EPR. 178(a). In no event, however, may a reply be timely filed after SX (6) MONTHS from the mailing date of this communication. If NO protect for reply is specified above, the maximum attactory period within the statistory privation with the mailing date of this communication. Failure to reply within the set or catended private for reply will. by attaction, private the provision of the protect of the provision of the provisi							
1) Responsive to communication(s) filed on 2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-3,5 and 6 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-3.5-6 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/S808) 4) Interview Summary (PTO-413) Paper No(s)/Mail Data. 5) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any						
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- 2. Claims 1-3, 5-6 rejected under 35 U.S.C. 102(a) as being clearly anticipated by Chapaton et al. (US-6,797,680) or Brannock (US-2,912,458).

Both US'680 & US'458 teach 2-hydroxymethylnorbornane based carboxylic acid esters, a method of preparing said esters and the use of them in lubricants. See compounds 13,14, cols. 8-9.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah D. Carr whose telephone number is 571-272-0637. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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